

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

DIANA RIVERA-RAMOS

Plaintiff

vs

CIVIL 98-1941CCC

KOMODIDAD DISTRIBUTORS, INC.  
D/B/A "GATSBY" AND PUERTO RICO  
AMERICAN INSURANCE CO.

Defendants

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CLERK'S OFFICE  
U.S. DISTRICT COURT  
SAN JUAN, P.R.

**INITIAL SCHEDULING AND CASE MANAGEMENT ORDER**

This case was called for an initial scheduling conference on Tuesday June 5, 2001 at 10:00 a.m. Plaintiff was represented by attorney Alejandro Oliveras-Rivera. Ernesto López-Soltero and Vicente Balbás-Felices appeared on behalf of the defendants.

This is an action for damages arising from the sequella of a lawsuit filed in violation of a bankruptcy stay. There are no actions pending in the federal or the Commonwealth courts. Neither party anticipates any amendments to the complaint.

The parties are well into discovery and have only several depositions to complete.

Having considered the above, the Court now RULES:

ok  
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The parties are GRANTED until August 31, 2001 to conduct all discovery. By this deadline, all interrogatories and requests for production of documents and for admissions must be answered and all depositions and examinations taken. This means that interrogatories and requests for admissions must be served at least thirty (30) days prior to the deadline and notice of depositions given within a reasonable time within the deadline. The parties are advised that the discovery period established herein will not be postponed or altered except by order of the Court and upon good cause shown. During this period the parties shall engage in cooperative efforts to conclude all their discovery. Any discovery problem which may not be solved informally as required by the Local Rules of Procedure, shall be brought promptly to the Court's

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attention. However, no such motion will be reviewed unless it contains a statement by the movant, pursuant to Local Rule 311.11, that a good faith effort was made with opposing counsel to reach an agreement on the matters set forth in the motion. **While any such problem is pending resolution by the Court, discovery on all other matters shall continue. No motion shall interrupt discovery unless the Court so orders.** The parties are reminded that they are not to file any discovery papers with the Court other than as permitted by Local Rule of Procedure 315.

If the filing of a dispositive motion is deemed necessary, it shall be filed no later than thirty (30) days after the conclusion of discovery. If not filed by said date, the arguments thereunder shall be deemed waived. Any opposition will be filed within thirty (30) days after filing of the motion. If any reply to the opposition is needed, it shall be filed only after requesting leave from the Court as required by Local Rule of Procedure 311.7. No other pre-trial dispositive motion shall be filed without first requesting and obtaining the Court's permission.

**The pretrial conference is hereby set for February 20, 2002 at 4:30 PM. The jury trial is set for May 21, 2002 at 10:00 AM.**

The action will be set for a settlement conference after the close of discovery, unless the parties request an earlier setting. The parties are reminded that if they want the case set for trial before a U.S. Magistrate-Judge, pursuant to 28 U.S.C. §633(c), they must comply with the requirements of Local Rule of Procedure 509.

The dates specified herein were agreed to or otherwise ordered by the Court at the conference and the parties have been informed by the Court that they have to comply with such schedule regardless of the fact that this Order, in its written form, may not be entered before the event.


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Any objections or requests for modification of the terms and conditions of this Order shall be filed within eleven (11) days after notice, or they shall be considered waived.

SO ORDERED.

At San Juan, Puerto Rico, on June 7, 2001.

  
CARMEN CONSUELO CEREZO  
United States District Judge

s/cs:to (7)  
attys/pts  
in ICMS

J/C 6-20-01  
Jury Cerezo  


JUN 21 2001

